

District Director

John Joseph Moakley

U.S. Courthouse, Suite 1-500

1 Courthouse

Way, Boston 02210

FILED
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U.S. DISTRICT COURT
DISTRICT OF MASS

Date: 05/25/04

Re: ERNST JOSEPH

In Removal Proceedings

A38-763-491

**REQUEST FOR RELEASE FROM DETENTION
PURSUANT TO ZADVYDAS V. DAVIS**

I, Ernst Joseph *pro se*, hereby request to be released from detention pursuant to *Zadvydas v. Davis*, 121 S.Ct 2491. On July 19, 2001, Attorney General John Ashcroft issued a memorandum which stated, "After six months, if an alien can provide 'good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future,' the government must rebut the alien's showing in order to continue the alien in detention." I am writing to request release as there is no significant likelihood that I will be removed in the reasonable foreseeable future.

1. I am presently in INS custody. I have been detained by the INS since 10-03-02.
2. I have a final order of deportation. My deportation order became final on 02-17-03. Therefore, I have been detained for more than 6 months with a final order.
3. My country will not take me back. The country I have been ordered deported to is Haiti.

4. The following efforts have been made to return me to my country of origin: all

I've Provide INS with my Birth certificate, My legal
Green card & a current Photo of myself. IT Has Been
we over a year since they order me deport which
was February 17, 2003 and This is May 25, 2004.

5. Because my country will not take me back and I have already been in detention for six months past the date my removal order became final, I should be released immediately.

Respectfully submitted,

ERNST JOSEPH
Printed Name

22 Hal Born St.
Address

Mattapan, MA 02126

Ernst Joseph
Signature